REMARKS

Claims 1-4, 6-14, 16-22, 24 and 25 were examined and stand rejected. In response to the above-identified Office Action, Claims 1, 11, 21 and 24 are amended, no claims are cancelled, and no claims are added. Reconsideration of the rejected claims in light of the aforementioned amendments and the following remarks is requested.

I. Rejection Under 35 U.S.C. §112

Claims 1-4, 6-14, 16-22, 24 and 25 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. According to the Examiner, the specification fails to describe "when a device communications mode state indicates a mode of the device is a wired communication mode, determining the data transmission error rate of the device by querying a data transmission error rate state."

In response, Applicants have amended the claims to remove reference to the passage referred to by the Examiner. However, in contrast to the Examiner's contention, as described at page 16, para. 69 of Applicant's specification:

> During communication of the device according to the wired communications mode, one of the device or the host device will continue monitoring of the device interference levels or transmission error rates in order to determine when interference levels leading to increased transmission error rates have subsided. As such, once interference levels and corresponding data transmission error rates have fallen within an acceptable threshold, a user may be notified to disconnect the wire link between the device and the host device. Consequently, once the wire link is removed, the device can resume functioning in a wireless communications mode, thereby enabling a user of the device to move around freely without being constricted by wires. As a result, this process may be continually repeated as interference levels are encountered by the user. (See page 16, para. 69 of Applicant's specification.)

Applicants have amended the independent claims to include features referred to by para. 69 of Applicant's specification as filed, to provide novelty over the combination of references cited by the Examiner.

Accordingly, Applicants respectfully request reconsideration and withdrawal the 35 U.S.C. § 112, first paragraph, rejection of Claims 1-4, 6-14, 16-22, 24 and 25.

II. Claims Rejected Under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 1, 9-11, 19-21, 24 and 25 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Publication No. 2003/0071783 by Chen ("Chen") in view of U.S. Patent No. 6,397,061 issued to Jordan et al. ("Jordan").

Regarding Claim 1, Claim 1 recites the following claim features which are neither taught nor suggested by the prior art combination of Chen in view of Jordan or the references of record. Claim 1 recites:

> 1. A method comprising:
>
> when a wireless/wired communications interface is detected as a communications interface type of a device, detecting a connection state of the device as one of a wireless connection state and a wired connection state;
>
> when the wireless connection state is detected, determining a data transmission error rate of the device during operation of the device in a wireless communications mode;
>
> notifying a device user to couple a wire link between the device and a host device to switch the device from the wireless communications mode to a wired communications mode when the data transmission error rate of the device exceeds a pre-determined threshold;
>
> monitoring detected interference levels that increased the data transmission error rates to determine if the detected interference levels have subsided during operation in the wired communications mode; and
>
> notifying the user to disconnect the wire link if the detected interference levels have fallen within an accepted threshold level to resume the wireless communication mode.

While Applicant's argument here is directed to the cited combination of references, it is first necessary to consider their individual teachings, in order to ascertain what combination (if any) can be made from the cited references.

In contrast to the above recited features of amended Claim 1, Chen teaches a manual wired/wireless dual mode input device that includes the ability to recharge a battery 140 during a wired communications mode (see page 2, para. 24, lines 12-16.) In contrast with Claim 1, Chen does not teach or suggest that a user is notified to couple a wire link between a device and a host device to switch the device from a wireless communications mode to a wired communications

mode when a data transmission error rate of the device exceeds the predetermined threshold, as in Claim 1. The Examiner recognizes such deficiency of Chen and therefore cites Jordan.

According to the Examiner, Jordan teaches notifying a user of a wireless communications device using an indicator, either visual or audio indication (see col. 2, lines 41-44.) Jordan also teaches that determination for sufficient interference could be made by bit error rate threshold, and that an alert can be indicated at both wireless communication device and the master device within the wireless network. (See col. 3, lines 10-19.) (See page 4, first paragraph of the Office Action mailed 5/3/07.) However, the error rate determination scheme for determining the interference level taught by Jordan is not performed during operation in a wired communications mode, as in Claim 1. We submit that the combination of Chen in view of Jordan fails to teach or suggest monitoring detected interference levels that increased the data transmission error rate during operation in the wired communications mode, much less that a user is notified to disconnect the wire link when the detected interference levels have fallen within an accepted threshold level to resume the wireless communication mode, as in Claim 1.

Hence, no combination of Chen in view of Jordan could teach or suggest the monitoring of detected interference levels that increased the data transmission error rates to determine if the detected interference levels leading to the increased data transmission error rates have subsided during operation in the wired communications mode, as in Claim 1, much less that a user is notified to disconnect the wire link when the detected interference levels have fallen within an accepted threshold level to resume the wireless communication mode, as in Claim 1.

For each of the above reasons, therefore, Claim 1 and all claims which depend from Claim 1 are patentable over the prior art combination of Chen in view of Jordan, as well as references of record. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 1 and 9-10.

Each of Applicants' other independent claims are amended to include limitations similar to those in Claim 1 discussed above. Therefore, all of Applicants' other independent claims, and all claims which depend on them, are also patentable over the cited art, for similar reasons. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 11, 19-21, 24 and 25.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as an agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely Claims 1-4, 6-14, 16-22 and 24-25, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: 7/19/07

By: _____

Joseph Lutz, Reg. No. 43,765

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
Telephone (310) 207-3800
Facsimile (408) 720-8383

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

_____ 7/19/07

Elaine Kwak Date